

SECOND REGULAR SESSION

SENATE BILL NO. 1076

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODMAN.

Read 1st time February 20, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

5267S.011

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to anatomic pathology services.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 191, RSMo, is amended by adding thereto one new
2 section, to be known as section 191.890, to read as follows:

**191.890. 1. For purposes of this section, the term "anatomic
2 pathology services" means:**

3 **(1) "Histopathology" or "surgical pathology", the gross and
4 microscopic examination and histologic processing of organ tissue
5 performed by a physician or under the supervision of a physician;**

6 **(2) "Cytopathology", the examination of cells, from fluids,
7 aspirates, washings, brushings, or smears, including the Pap test
8 examination performed by a physician or under the supervision of a
9 physician;**

10 **(3) "Hematology", the microscopic evaluation of bone marrow
11 aspirates and biopsies performed by a physician or under the
12 supervision of a licensed physician, and peripheral blood smears when
13 the attending or treating physician or technologist requests that a blood
14 smear be reviewed by a pathologist;**

15 **(4) Subcellular pathology and molecular pathology; and**

16 **(5) Blood-banking services performed by pathologists.**

17 **2. Except as provided under subsection 5 of this section, no
18 licensed health care professional in the state shall, directly or indirectly,
19 charge, bill, or otherwise solicit payment for anatomic pathology
20 services unless such services were rendered personally by the licensed
21 health care professional or under the licensed health care professional's**

22 **direct supervision in accordance with section 353 of the Public Health**
23 **Service Act, 42 U.S.C. 263a.**

24 **3. No patient, insurer, third-party payor, hospital, public health**
25 **clinic, or nonprofit health clinic shall be required to reimburse any**
26 **licensed health care professional for charges or claims submitted in**
27 **violation of this section.**

28 **4. Nothing in this section shall be construed to mandate the**
29 **assignment of benefits for anatomic pathology services as defined in this**
30 **section.**

31 **5. The provisions of this section do not prohibit billing of a**
32 **referring laboratory for anatomic pathology services in instances where**
33 **a sample or samples must be sent to another specialist, except that for**
34 **purposes of this subsection, the term "referring laboratory" does not**
35 **include a laboratory of a physician's office or group practice that does**
36 **not perform the technical or professional component of the anatomic**
37 **pathology service involved.**

38 **6. The respective state licensing boards having jurisdiction over**
39 **any health care professional who may request or provide anatomic**
40 **pathology services may revoke, suspend, or deny renewal of the license**
41 **of any health care professional who violates the provisions of this**
42 **section.**

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